

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES THOMPSON Civil Action  
v. NO: 09-1432

RECEIVED

OCT 16 2012

CLERK, U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

OFFICER WILLIAMS et al

SUED IN THEIR OFFICIAL AND INDIVIDUAL CAPACITY

SECOND AMENDED COMPLAINT

AND NOW, comes your plaintiff, James Thompson, with his second amended complaint and avers to the following:

That on or about Jan. of 2009 your plaintiff became the victim of conduct motivated by evil motive or intent and reckless or callous indifference ~~to~~<sup>to</sup> your plaintiff's federally

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protected rights

The man and woman responsible for these malicious acts are as follows:

1. Officer Williams

2. Officer Welch

The rights violated was the Fourth and Fourteenth Amendment to the U.S. Constitution of the Bill of Rights.

No search Warrant

That these officers had no search warrant to conduct a search on the apartment of your plaintiff.

Target of Search

That the target of the search was for

probationeer Mr. David Leake who is the husband of plaintiff's sister Mrs. Eunice Thompson - Leake.

### Privately Rented Apartments

That the apartment rented by your plaintiff, James Thompson, was a privately rented room which was not subject to the search of the rest of the house.

### Probation officers knew <sup>were</sup> rooms ~~was~~ rented

That these probation officers knew that many of the rooms in Mrs. Thompson - Leake's house had been used previously as a Personal Care Home, and the various bedrooms were adapted for separate rental use, and were actually rented out separately for an extended period of time,

although such use by persons other than this plaintiff was terminated prior to the within search. (See Court order listed as Exhibit A).

Plaintiff's Apartment Was Broken  
INTO By the Probation Officers

That the apartment room of your plaintiff was broken into without no authority from Mr. or Mrs. Eunice Thompson - Leake.

The statement that Probation Officers ordered the room open was not true

That the statement given by the attorney on behalf of the defendants that they ordered Mrs. Thompson - Leake and David Leake to open the apartment room of James Thompson was not true. The probation officers opened the room on their own accord.

## Room Was forcefully opened

The officers forcefully opened the apartment of James Thompson without no permission from Mrs. or Mr. Thompson - Leake.

## Rights Violated

The illegal acts of both probation officers violated the Fourth and Fourteenth Amendment rights of your plaintiff, James Thompson.

Plaintiff was not present to give permission to open apartment

That your plaintiff was not present to give permission to open his room. No permission to search plaintiff's room was given by this plaintiff or by Mrs. Eunice Thompson - Leake the owner of the house and apartment rooms.

Breaking into the privately rented room was not a mistake

Breaking into the privately rented room was not a mistake. The probation officers conducting the search knew long ago that Mrs. Thompson-Leake had rooms for rent in the rental part of her home. And they knew just where the rental area was.

The conduct ~~to~~ to pick the locked room door ~~was~~ was nothing less than motivated evil intent with reckless and callous indifference to your plaintiff's federally protected rights.

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## Relief Sought

1. Declare that the defendants violated the Civil and constitutional rights of your plaintiff.

2. Award money to compensate for the violations, pain and suffering of \$100,000.00

3. Award monetary punitive damages of \$200,000.00.

Trial by Jury

Respectfully submitted,  
Mr. James Thompson